

F#.2016R00614
JD:KTF/MTK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

17 M 569

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IN THE MATTER OF AN APPLICATION FOR A
SEARCH WARRANT FOR THE PREMISES
KNOWN AND DESCRIBED AS:

1. PACKAGE WITH EMS SPEED POST
TRACKING NUMBER EM946363880IN

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR A SEARCH
WARRANT

AND

2. PACKAGE WITH U.S. POSTAL SERVICE
PRIORITY MAIL TRACKING NUMBER
9405 9096 9993 9706 0581 15

BOTH OF WHICH ARE ADDRESSED TO:

BERT UNDERWOOD
13899 BISCAYNE BLVD. STE 104
N MIAMI BEACH FL 33181-1637

----- X

EASTERN DISTRICT OF NEW YORK, SS:

GINO X. IZZO, being duly sworn, deposes and says that he is a Task Force Officer ("TFO") with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, there is probable cause to believe that there is kept and concealed within:

1. PACKAGE WITH EMS SPEED POST
TRACKING NUMBER EM946363880IN

and

2. PACKAGE WITH U.S. POSTAL SERVICE
PRIORITY MAIL TRACKING NUMBER
9405 9096 9993 9706 0581 15,

both of which are addressed to:

BERT UNDERWOOD
13899 BISCAYNE BLVD. STE 104
N MIAMI BEACH FL 33181-1637

(collectively referred to as the "SUBJECT PACKAGES"), described more fully in Attachment A, controlled substances in violation of Title 21, United States Code, Sections 841(b)(1)(E)(i) and 846, more fully described in Attachment B.

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a TFO with the DEA, and have been since July 2009. Before that, I was a detective with the Essex County, New Jersey, Sheriff's Office Bureau of Narcotics since August 2002. I have participated in numerous investigations of violations of federal narcotics offenses. During the course of my career, I have been the affiant on numerous affidavits in support of premises search warrants. During my tenure with the DEA, I have participated in numerous investigations of narcotics traffickers, during which I have (a) conducted physical surveillance, (b) executed search warrants, (c) debriefed cooperating witnesses and victims, (d) reviewed and analyzed numerous taped conversations of those engaged in narcotics activities, (e) monitored wiretapped conversations and reviewed line sheets prepared by wiretap monitors, and (f) conducted numerous controlled deliveries of

¹ Because this affidavit is submitted for the limited purpose of establishing probable cause for a search warrant, I have not set forth each and every fact learned during the course of the investigation.

narcotics, including mail parcels from overseas addresses. Through my training, education and experience, I have become familiar with the manner in which narcotics conspiracies and other crimes are carried out, and the efforts of persons involved in such activities to avoid detection by law enforcement.

2. Anabolic steroids are a Schedule III controlled substance under federal law. It is illegal to distribute steroids without a medical license or to purchase steroids without a prescription.

3. As set forth in the complaint attached hereto as Attachment C (the "Complaint"), a DEA investigation revealed that a Miami, Florida-based company named Wellness, Fitness & Nutrition Network LLP ("WFN") illegally sold through its website dozens of different types of injectable and oral anabolic steroids to customers around the world. In summary, and as set forth in detail in the Complaint, WFN illegally imported raw steroid powder from China to Miami, Florida, and then shipped the powder to a laboratory located in Phoenix, Arizona (the "Desert Formulations Lab"). There, chemists transformed the steroid powder into pills and injectable liquid steroids. They then shipped the pills and liquid steroids to a secret shipping facility, the location of which changed periodically in order to evade detection. WFN employees at the shipping facility packaged and shipped the final steroid products to WFN's online customers. WFN's online sales in 2016 totaled more than \$8 million dollars.

4. On or about February 22, 2017, the following eleven owners and/or employees of WFN were arrested pursuant to arrest warrants: RICHARD RODRIGUEZ, NANCY MELO-RODRIGUEZ, JOHN FERRELL, EDWARD JACOB LIFF, XZAVIER APODACA, BYRON OLIVER, ERICK VITTITOW, BADER ALASKARI, BERNARD

DURAN, JONATHAN GONZALEZ, and GILBERTO MUNDO. On March 7, 2017, a grand jury returned an indictment charging (i) all eleven defendants with conspiracy to distribute anabolic steroids in violation of Title 21, United States Code, Sections 841(b)(1)(E)(i) and 846, and (ii) RICHARD RODRIGUEZ, NANCY MELO-RODRIGUEZ, and JOHN FERRELL with money laundering conspiracy in violation of Title 18, United States Code, Sections 982(a)(1) and 1956(h).

5. On February 22, 2017, the DEA executed search warrants at, among other places, the Desert Formulations Lab; a WFN shipping facility located at 7400 NE 2nd Ave, Suite 103, Miami, Florida, 33138; and a WFN office located at 13899 Biscayne Blvd., Suite 104, North Miami Beach, Florida, 33181 ("Suite 104").

6. On or about February 24, 2017, after the DEA's search of Suite 104, which is located in a large office park, I spoke with the manager of the office park. She indicated that she was responsible for collecting rent and distributing mail to the various suites in the office park. She stated the following in sum and substance and in part: The occupants of Suite 104 paid the rent in cash, which was highly unusual. Packages were often delivered to her for Suite 104, and, every time, a WFN employee would come to her office to pick it up rather than wait for it to be delivered to the suite. On February 22, 2017, the day the DEA searched Suite 104, a WFN employee who is married to the recipient of the SUBJECT PACKAGES called her and asked that she get rid of anything in the WFN employee's name.

7. Approximately three weeks after the search of Suite 104, the manager met with a TFO and gave him the SUBJECT PACKAGES. She stated that the SUBJECT PACKAGES had not been picked up since the search of Suite 104, and that she did not want

to maintain custody of the packages. She released the SUBJECT PACKAGES into the TFO's custody.

8. The SUBJECT PACKAGES are, respectively, (1) a white box with the return address MOIRAE GENERICS PVT. LTD., B-710, Sagar Tech Plaza, Andheri-kurla Road, Andheri (E), Mumbai-490 072, and (2) a black plastic soft parcel with the return address Noi Lien USA, 1001 W Whittier Blvd Ste B, Montebello CA 90640. Each of the SUBJECT PACKAGES is addressed to Bert Underwood, 13899 Biscayne Blvd. Ste 104, N Miami Beach Fl 33181-1637, and is depicted in Attachment A. As noted, Bert Underwood is married to the WFN employee who asked the manager of the office park to get rid of anything in the WFN employee's name.

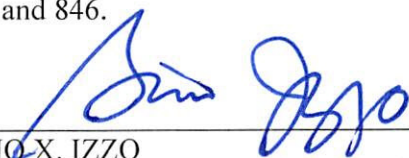
9. On June 19, 2017, I met with Essex County Sheriff's Detective Robert Sutton, a certified narcotics detection canine handler. Detective Sutton exposed the SUBJECT PACKAGES to his trained canine, "Hanner," for exterior inspection. Hanner reacted to the SUBJECT PACKAGES by scratching on each of them. Detective Sutton informed me that Hanner's reaction to the SUBJECT PACKAGES indicated a positive alert for the presence of narcotics.²

² I am informed by Hanner's handler, Detective Sutton, that Hanner is a German Shepherd that is certified as a narcotics detection canine. Hanner is certified to detect the odors of marijuana, cocaine, heroin, hashish, ecstasy, methamphetamines, oxycodone, and anabolic steroids, among other narcotics. Since initially being certified, Hanner has received numerous hours of training and is utilized regularly for the purpose of detecting narcotic odors. Hanner has been involved in a multitude of searches, seizures and arrests and has made numerous positive identifications. During Hanner's training and in order to be certified, he is subjected to numerous objects both containing and not containing narcotics. He is trained to differentiate and to give a positive indication if he detects the odors of narcotics. Hanner is routinely trained to conduct searches of automobiles, residences, packages and suitcases. Hanner alerts after detecting the scent of narcotics. Hanner will positively alert his handler to the presence of the

10. Based on the facts recited above, there is probable cause to believe that the SUBJECT PACKAGES contain narcotics or narcotics residue.

11. The SUBJECT PACKAGES are presently in my custody in the Eastern District of New York.

WHEREFORE, your affiant respectfully requests that a warrant be issued authorizing the DEA, with such other assistance as may be necessary, to open the SUBJECT PACKAGES and to search for and seize controlled substances of any sort, all of which constitute evidence of violations of Title 21, United States Code, Sections 841(b)(1)(e)(i) and 846.



GINO X. IZZO
Task Force Officer
Drug Enforcement Administration

Sworn to before me this
22nd day of June, 2017

THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

odor of marijuana, cocaine, heroin, hashish, ecstasy, methamphetamines, oxycodone and anabolic steroids and their derivatives by scratching the package. He has successfully given positive indications of narcotics in the past and has proven reliable in the field. Therefore, there is probable cause to believe that Hanner is reliable and that the SUBJECT PACKAGES contains narcotics or narcotics residue.

ATTACHMENT A
Property To Be Searched

The property to be searched is as follows:

1. PACKAGE WITH EMS SPEED POST
TRACKING NUMBER EM946363880IN

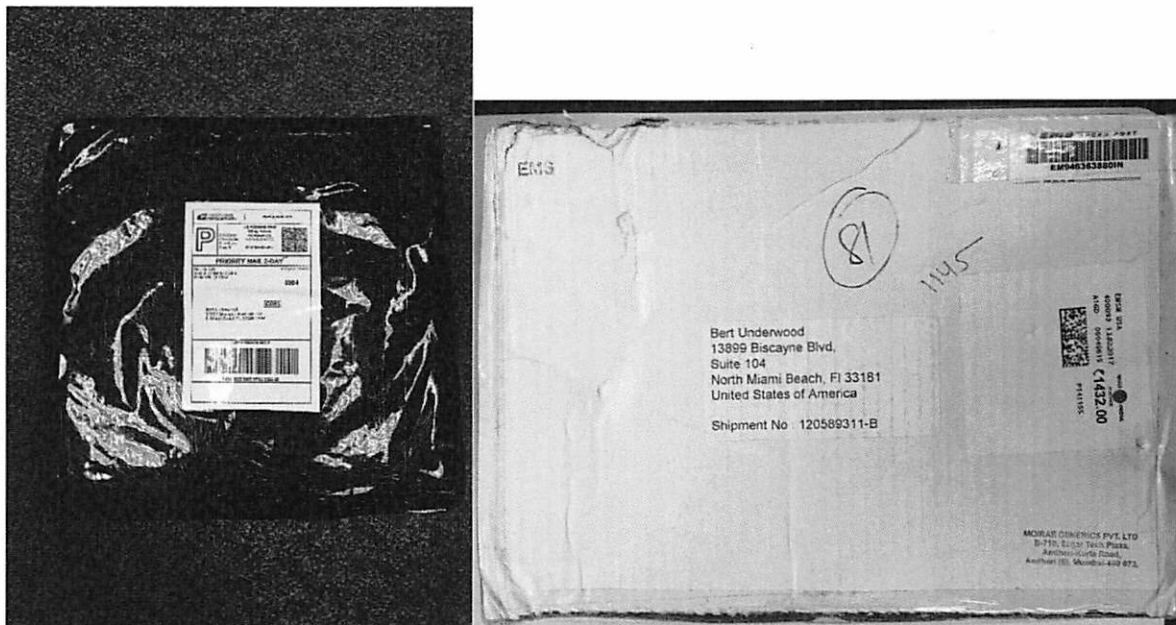
AND

2. PACKAGE WITH U.S. POSTAL SERVICE
PRIORITY MAIL TRACKING NUMBER
9405 9096 9993 9706 0581 15

BOTH OF WHICH ARE ADDRESSED TO:

BERT UNDERWOOD
13899 BISCAYNE BLVD. STE 104
N MIAMI BEACH FL 33181-1637

(collectively referred to as the "SUBJECT PACKAGES"), depicted in the photographs below.



ATTACHMENT B
Property To Be Seized

Items to be seized from the SUBJECT PACKAGES and any closed containers and items contained therein are as follows:

Controlled substances and controlled substances paraphernalia, including, but not limited to, cutting agents, wrapping materials (including plastic bags and rubber bands), wrappers, and other materials used to conceal and transport narcotics, all of which constitute evidence of violations of 21 U.S.C. §§ 841(b)(1)(e)(i) and 846.

ATTACHMENT C
(See attached complaint)

JD:MTK/KTF
F. #201600614

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

RICHARD RODRIGUEZ,
JOHN FERRELL,
NANCY MELO-RODRIGUEZ,
EDWARD JACOB LIFF,
XZAVIER APODACA,
BYRON OLIVER,
ERICK VITTITOW,
BADER ALASKARI,
BERNARD DURAN and
JONATHAN GONZALEZ,

Defendants.

-----X

EASTERN DISTRICT OF NEW YORK, SS:

GINO X. IZZO, being duly sworn, deposes and says that he is a Task Force Officer with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

1. Upon information and belief, in or about and between August 2015 and February 2017, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RICHARD RODRIGUEZ, NANCY MELO RODRIGUEZ, JOHN FERRELL, EDWARD JACOB LIFF, XZAVIER APODACA, BYRON OLIVER, ERICK VITTITOW, BADER ALASKARI, BERNARD DURAN and

To Be Filed Under Seal

**COMPLAINT AND AFFIDAVIT IN
SUPPORT OF APPLICATION FOR
ARREST WARRANT**

(21 U.S.C. § 846; 18 U.S.C. § 1956(h))

17-M-154

JONATHAN GONZALEZ, together with others, did knowingly and willfully conspire to possess with intent to distribute a controlled substance, which offense involved a substance containing a detectable amount of anabolic steroids, a Schedule III controlled substance, in violation of 21 U.S.C. § 841(a)(1).

(Title 21, United States Code, Section 846)

2. Upon information and belief, in or about and between April 2015 and October 2016, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants RICHARD RODRIGUEZ, JOHN FERRELL, NANCY MELO RODRIGUEZ, together with others, did knowingly and willfully conspire to conduct one or more financial transactions in and affecting interstate and foreign commerce, to wit: checks, deposits and transfers of funds, which transactions in fact involved the proceeds of specified unlawful activity, to wit: the use of one or more facilities in interstate or foreign commerce, to wit: the Internet, access devices and telephones, with intent to promote, manage, establish, carry on and facilitate the promotion, management, establishment and carrying on of unlawful activity, to wit: a business enterprise involving the distribution of anabolic steroids, in violation of Title 21, United States Code, Section 846, knowing that the property involved in such transactions represented the proceeds of some form of unlawful activity, and with the intent to promote the carrying on of said specified unlawful activity, contrary to Title 18, United States Code, Section 1956(a)(1)(A)(i).

(Title 18, United States Code, Sections 1956(h) and 3551 et seq.)

INTRODUCTION

The source of your deponent's information and the grounds for his belief are as follows:

3. I am a Task Force Officer ("TFO") with the Drug Enforcement Administration ("DEA"), and have been involved in the investigation of numerous cases involving narcotics conspiracies and money laundering. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the investigative file, and reports of other law enforcement officers involved in the investigation.

4. Except as explicitly set forth below, I have not distinguished in this affidavit between facts of which I have personal knowledge and facts of which I learned from other law enforcement agents. Because this affidavit is being submitted for the limited purpose of establishing probable cause to arrest the defendants RICHARD RODRIGUEZ, JOHN FERRELL, NANCY MELO RODRIGUEZ, EDWARD JACOB LIFF, XZAVIER APODACA, BYRON OLIVER, ERICK VITTTTOW, BADER ALASKARI, BERNARD DURAN and JONATHAN GONZALEZ, I have not set forth each and every fact learned during the course of this investigation. Instead, I have set forth only those facts that I believe are necessary to establish probable cause for the arrest warrant sought herein. In addition, where the contents of documents, or the actions, statements and conversations of others are reported herein, they are reported in sum and substance and in part, except where otherwise indicated. Summaries of recorded conversations are based upon draft transcripts of these conversations, which are subject to revision.

PROBABLE CAUSE

5. In or about August 2015, the DEA received information from a confidential source (CS-1)¹ that a Miami, Florida based company named Wellness, Fitness & Nutrition Network LLP (“WFN”) was marketing and selling anabolic steroids over the internet via the website www.wellnessfitnessnutritionstore.com (the “Website”). CS-1 stated that WFN was owned and operated by RICHARD RODRIGUEZ. A review of DEA records revealed that WFN was not licensed to distribute anabolic steroids, a schedule III controlled substance.

A. The WFN Defendants and Entities

6. Throughout the course of the investigation into WFN, TFOs have spoken to an additional confidential source who was a former employee of WFN (hereinafter, “CS-2”). CS-2 has provided information on the roles of individuals at WFN and the method through which illicit steroids are manufactured and distributed by WFN. The information provided by CS-2 has largely been corroborated by TFO surveillance, a review of financial and corporate records, as well as consensually monitored phone calls between confidential sources and various WFN employees.

7. The defendant RICHARD RODRIGUEZ is the CEO and majority owner of WFN and part owner of Iron Addicts Gym also located in Miami, Florida. He

¹ In January 2015, CS-1 pleaded guilty to a narcotics offense in Essex County, New Jersey. His sentencing is being held in abeyance throughout the duration of his cooperation with the DEA. CS-1 is working with the DEA in an effort to receive a reduced sentence for this offense. In 2003, CS-1 was previously convicted of Assault in the 3rd Degree in violation of New York Penal Law 120.00.

operates WFN and Iron Addicts Gym under the parent company "Mid-Year Management, Inc." According to Florida corporate records, Mid-Year Management, Inc. is headquartered at 1300 Washington Ave., Suite 1155, Miami Beach, Florida 33139. A review of records indicates that this address is a United States Postal Service ("USPS") P.O. box registered to RICHARD RODRIGUEZ at the Miami Beach post office.

8. The defendant JOHN FERRELL is part owner of WFN. FERRELL owns approximately 20% of WFN.

9. JOHN FERRELL is also the owner and operator of Desert Formulations, LLC, a purported pharmaceutical laboratory located at 3335 W. Earll Drive, Phoenix, Arizona ("Desert Formulations"). As discussed in more detail below, the investigation has revealed that Desert Formulations is the chief manufacturer of anabolic steroids for WFN. CS-2 has informed TFOs that FERRELL directs the shipment of raw steroid powder from China into the United States, which is then sent to Desert Formulations for processing into liquid form.

10. JOHN FERRELL and RICHARD RODRIGUEZ also own and operate an entity called The Real Nutrition LLC ("Real Nutrition"). As discussed in more detail below, a bank account attributed to Real Nutrition has been used to launder proceeds from WFN's sale of illicit anabolic steroids.

11. The defendant EDWARD JACOB LIFF is the lead chemist employed by Desert Formulations. As discussed in more detail below, LIFF manufactures anabolic steroids for WFN.

12. The defendants XZAVIER APODACA and BYRON OLIVER are co-chemists with LIFF at Desert Formulations.

13. The defendant NANCY MELO-RODRIGUEZ is the wife of RICHARD RODRIGUEZ and operates as a Director and Chief Administrative Officer of Mid-Year Management. CS-2 has informed TFOs that MELO-RODRIGUEZ operates as WFN's Chief Financial Officer ("CFO") and bookkeeper.

14. The defendant JONATHAN GONZALEZ is the Director and Operations Manager at the WFN shipping facilities located in Miami, Florida.

15. The defendant ERICK VITTITOW is a supervisor at the WFN shipping facilities and a salesman who operates the Website's live chat feature. Among other things, he is responsible for processing, labeling, and shipping all orders for anabolic steroids that are generated through the Website and other sources.

16. The defendant BADER ALASKARI is the Vice President of International Sales for WFN. He also assists in operating the live chat feature on the Website.

17. The defendant BERNARD DURAN is a sales representative for WFN. DURAN also assists ALASKARI and VITTITOW in operating the live chat feature on the Website.

B. WFN's Manufacture, Sale and Distribution of Illicit Anabolic Steroids

18. CS-2 has informed TFOs that WFN purchases raw steroid powder from various companies in China. This powder is shipped from China to various United Parcel

Service ("UPS") stores located in the Miami, Florida area. CS-2 stated that the accounts at the UPS stores are opened by JOHN FERRELL using various aliases.

19. The investigation has revealed that JOHN FERRELL purchases the raw steroid powder from China in the name of Real Nutrition. A review of Florida corporation records indicates that Real Nutrition is an entity owned and controlled by RICHARD RODRIGUEZ and FERRELL. As discussed in more detail below, Real Nutrition has wired at least \$350,000.00 in funds to Chinese entities who are known to ship steroid powder into the United States.

20. I am informed by United States Customs and Border Protection ("CBP") officers that on April 28, 2015, a package containing approximately 823 grams of raw steroid powder and which listed RICHARD RODRIGUEZ as the consignee was intercepted at a United States port. The shipper of the package was a Chinese entity that has previously attempted to ship raw steroid materials into the United States.

21. I am also informed by CBP officers that on May 13, 2015, a package containing approximately 2.7 kilograms of raw steroid powder and which listed RICHARD RODRIGUEZ as the consignee was intercepted at a United States port. The shipper of the package was a Chinese entity that has previously attempted to ship raw steroid materials into the United States.

22. I am also informed by CBP officers that on May 19, 2015, a package containing approximately six kilograms of raw steroid powder was intercepted at a United States port. The package was addressed to RICHARD RODRIGUEZ at his home address of

5757 Collins Ave. Apt #2106, Miami Beach, Florida, 33141. TFOs have determined that this is RODRIGUEZ's home address through a review of utility records, DMV records and bank account records. The shipper of the package was a Chinese entity that has previously attempted to ship raw steroid materials into the United States.

23. CS-2 stated that JOHN FERRELL and/or his co-conspirators routinely pick up packages containing the raw steroid material from the UPS stores, repackage the material, and mail the material via the USPS to the Desert Formulations lab located in Phoenix, Arizona. This information has been corroborated by a review of USPS records.

24. On or about August 23, 2016, October 6, 2016, October 19, 2016 and November 28, 2016, TFOs conducting surveillance on the Desert Formulations lab observed the defendants EDWARD JACOB LIFF, XZAVIER APODACA and BYRON OLIVER enter and exit the lab.

25. On or about October 6, 2016, TFOs observed XZAVIER APODACA exit the rear door of the Desert Formulations lab wearing blue latex surgical gloves and carrying several black trash bags that he deposited in a nearby dumpster. A short time later, the TFOs retrieved the trash bags and conducted a search. The search revealed, among other things, (1) ten round tablets with the letters "WFN" imprinted on the front and (2) an empty silver package envelope labeled "TPP 1kg." Based on my training and experience, the label indicates that the bag once contained raw steroid powder.

26. On or about November 28, 2016, TFOs observed the defendant XZAVIER APODACA carry two black trash bags from the Desert Formulation lab to a

nearby dumpster. A short time later, the TFOs retrieved the trash bags and conducted a search. The search revealed, among other things, (1) two round tablets with the letters "WFN" imprinted on the front (2) an empty box from the "Vita Needle Company" addressed to "Jacob Liff, Desert Formulations, 3217 E. Shea Blvd. #175, Phoenix, AZ 85028" and (3) several mylar bags containing the labels "TRA 1kg," "TC 1kg," "ME 220g," "BU 500g," "TD 500g" and "TRH 350g." Based on my training and experience, the labels indicate that the bags once contained raw steroid powder.

27. Chemists from the DEA lab tested the tablets found on October 6, 2016, and November 28, 2016. Three of the four tablets found on October 6, 2016 tested positive for anabolic steroids, and one of the two tablets found on November 28, 2016 tested positive for anabolic steroids. The other two tablets tested positive as non-scheduled prescription medication.

28. DEA agents in Phoenix have interviewed the assigned USPS mail carrier for the Desert Formulations lab and she has confirmed that the defendants LIFF, APODACA and OLIVER have provided her with packages for mailing on a daily basis. These packages are addressed to a Miami based USPS P.O. box.

29. The investigation has revealed that Desert Formulations and WFN utilize Stamps.com² to provide postage and shipping labels to mail the steroid bottles from

² Stamps.com is a company that, in conjunction with the USPS, provides internet-based mailing and shipping services. The service allows businesses and other entities to print USPS stamps and shipping labels using a personal computer and printer. Stamps.com provides businesses and entities a digital scale to ensure the correct postage is applied to a specific type and piece of mail. The amount of postage is then deducted from the entities' Stamps.com

Phoenix to a WFN shipping facility that was located in Miami and thereon to the customers purchasing the steroids. This WFN shipping facility was identified by the DEA as an unmarked warehouse located at 14444 W. Dixie Highway, North Miami, FL 33160 (the "Dixie Shipping Facility").

30. A review of records from Stamps.com has revealed that between June 2016 and January 2017, Desert Formulations mailed approximately 200 packages via the USPS to the Dixie Shipping Facility. The Desert Formulations Stamps.com account is registered to JOHN FERRELL and the user is listed as "Eliff-3217e," an apparent reference to the defendant EDWARD JACOB LIFF.

31. CS-2 has informed TFOs that the Dixie Shipping Facility received daily packages containing glass bottles of steroids ready for distribution. These packages were sent via the USPS and have a return address associated with Desert Formulations in Phoenix, Arizona.

32. The defendants JONATHAN GONZALEZ and ERIC VITTITOW worked at the Dixie Shipping Facility and were responsible for the processing, labeling and shipping of all the orders received from, among other places, the Website. GONAZALEZ and VITTITOW adorned the bottles received from the lab with the label "WFN Pharmaceuticals."

33. CS-2 also informed TFOs that the Dixie Shipping Facility utilized a Stamps.com meter to provide postage for the distribution of steroids to its customers. A

account.

review of Stamps.com records revealed that the account at the Dixie Shipping Facility is registered to RICHARD RODRIGUEZ with a user of "WellFitActive."

34. A review of records from Stamps.com has also revealed that between February 2014 and January 2016, the Dixie Shipping Facility mailed approximately 56,000 packages via the USPS to end user customers.

35. During the course of their surveillance, DEA agents have observed ERICK VITTITOW and JONATHAN GONZALEZ transport multiple packages from the Dixie Shipping Facility to the local USPS post office on a daily basis.

36. In or about January 2017, the defendant ERIC VITTITOW was arrested by local authorities in Florida for possession of steroids and possession of a weapon. Shortly thereafter, the investigation revealed that the Desert Formulations lab had ceased shipping packages to the Dixie Shipping Facility. A review of USPS and FedEx records revealed that the lab was shipping packages to a UPS store located at 6538 Collins Ave, #302, Miami Beach, Florida.

37. DEA surveillance has observed the defendant JONATHAN GONZALEZ and other co-conspirators pick up packages from the UPS store and transport the packages to the new shipping facility located at 7350 NE 2nd Ave, Miami, Florida (the "2nd Avenue Shipping Facility). Surveillance has observed GONAZALEZ and other co-conspirators enter and exit the 2nd Avenue Shipping Facility with packages. As with the Dixie Shipping Facility, TFOs have also observed GONZALEZ load packages in vehicles and drive to the local USPS post office.

38. The investigation has revealed that RICHARD RODRIGUEZ is the part owner of the gym known as “Iron Addicts” located at 31 NE 17th Street, Miami, Florida. CS-2 has informed TFOs that WFN maintains office space on the second floor of Iron Addicts gym.

39. Around the time of VITTITOW’s arrest, WFN opened a second office in addition to the second floor of the Iron Addicts gym. This additional office is located at 13899 Biscayne Blvd., #104, North Miami, Florida.

40. On or about January 18, 2017, an undercover DEA TFO (the “UCE”) engaged in a live chat session with the defendant BADER ALASKARI about a recently placed order. The UCE stated, in sum and substance, that he had previously dealt with the VITTITOW. ALASKARI responded that VITTITOW was “out of town.”

41. A review of WFN customer lists provided by CS-2 reveals that WFN has shipped steroids to at least 50 customers located in the Eastern District of New York. Additionally, a review of Stamps.com records reveals that at least 50 customers are located in the Eastern District of New York.

C. The Undercover Purchase of Illicit Anabolic Steroids from WFN

42. On or about October 13, 2015, the UCE accessed the Website and purchased two boxes of anabolic steroids in exchange for \$215.00 in DEA funds.³ The UCE utilized a DEA undercover credit card to make the purchase. The next day, the UCE

³ No prescriptions were ever provided to WFN by the UCE for any of the undercover purchases. As noted above, anabolic steroids are a controlled substance regulated by the DEA.

received an email from JONATHAN GONZALEZ at "jgonzalez@wfnllp.com."

GONZALEZ's email indicated that he was the Sales and Operations Manager for WFN.

GONZALEZ informed the UCE that WFN no longer carried the particular steroid ordered by the UCE; however, he could substitute a different steroid for the same purchase price. The UCE replied to GONZALEZ and agreed to the replacement order. That same day, the UCE received a shipping confirmation email from WFN.

43. On or about October 22, 2015, the UCE received a USPS Priority Mail package. The package contained the steroids ordered by the UCE.⁴ The outer package displayed a return address of "LiveWellFitActive LLP, 525 71st Street, Miami, FL 33141." A review of Florida Secretary of State records has revealed that this entity is controlled by RICHARD RODRIGUEZ.

44. On or about December 7, 2015, the UCE accessed the Website and purchased 15 bottles of steroids. On or about December 29, 2015, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "WellnessFitnessNutrition Store, 525 71st Street, #6597, Miami Beach, FL, 33141." The investigation has revealed that 525 71st Street, #6597, Miami Beach, FL is a USPS P.O. box registered to "Richard Rodriguez, CEO of WFN Network, LLP," at the Normandy Branch, Miami Beach post office. The steroid bottles contained in the package were affixed with the label "WFN Pharmaceuticals."

⁴ All of the anabolic steroids ordered by CS-1 and the UCE from in or about October 2015 through December 2016 have tested positive for the presence of anabolic steroids.

45. On or about April 7, 2016, the UCE accessed the Website and purchased 10 bottles of steroids in exchange for \$670.00 in DEA funds. On or about April 15, 2016, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141." The steroid bottles contained in the package were affixed with the label "WFN Pharmaceuticals."

46. On or about June 21, 2016, the UCE accessed the Website and purchased 15 bottles of steroids in exchange for \$920.00 in DEA funds. On or about June 28, 2016, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141." The steroid bottles contained in the package were affixed with the label "WFN Pharmaceuticals."

47. On or about September 8, 2016, the UCE accessed the Website and purchased 15 bottles of steroids in exchange for \$920.00 in DEA funds. On or about September 16, 2016, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141. The steroid bottles contained in the package were affixed with the label "WFN Pharmaceuticals."

48. On or about October 27, 2016, the UCE accessed the Website and purchased 7 bottles of steroids in exchange for \$480.00 in DEA funds. On or about November 1, 2016, the UCE received a Priority Mail package from the USPS containing

steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141. The steroid bottles contained in the package were affixed with the label "WFN Pharmaceuticals."

49. On about November 11, 2016, the UCE accessed the Website and purchased 15 bottles of steroids in exchange for \$925.00 in DEA funds.

50. On or about November 15, 2016, the UCE received a phone call from the defendant ERIC VITTITOW regarding an order that the UCE had placed on November 11, 2016. This phone call was recorded by the UCE. VITTITOW stated, in sum and substance, that the steroid the UCE ordered was out of stock, but that WFN would substitute a different, more expensive steroid for no additional charge.

51. On or about November 22, 2016, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141." The steroid bottles contained in the package were affixed with the label "WFN Pharma."

52. On or about November 16, 2016, at the direction of TFOs, CS-2 made a consensually monitored telephone call to the defendant ERIC VITTITOW. In sum and substance, CS-2 informed VITTITOW that he/she had clients who wanted steroids. CS-2 asked VITTITOW to provide a discount on the purchase. In sum and substance, VITTITOW stated that CS-2 would need to speak with JOHN FERRELL about any discount.

53. On or about December 12, 2016, the UCE accessed the Website and purchased 20 bottles of steroids in exchange for \$1400.00 in DEA funds.

54. On or about December 20, 2016, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141." The steroid bottles contained in the package were affixed with the label "WFN Pharma."

55. On or about January 11, 2017, the UCE accessed the Website and purchased 13 bottles of steroids in exchange for \$935.00 in DEA funds.

56. On or about January 23, 2017, the UCE received a Priority Mail package from the USPS containing steroids from WFN. The return address on the package was "Shipping Department, WFNN LLP, 525 71st Street, Suite #6597, Miami Beach, FL, 33141." The steroid bottles contained in the package were affixed with the label "WFN Pharma."

57. On or about January 24, 2017, the UCE received a phone call from the defendant BADER ALASKARI regarding few purchases by the UCE. In sum and substance, ALASKARI stated that WFN was out of stock on certain steroids because an employee forgot to order the raw steroid powder.

58. In a February 2017 recorded call with CS-2, the defendant BERNARD DURAN identified himself as the top salesmen for WFN. He also stated, in sum and substance, that the defendant RICHARD RODRIGUEZ was "paranoid" because the whole

business was “illegal.”

59. CS-2 has informed TFOs that ALASKARI directs all international shipments of steroids. CS-2 stated that ALASKARI ships anabolic steroids to Canada on behalf of WFN by concealing steroid bottles inside “Muscle Milk” protein containers. They further stated that ALASKARI ships steroids on behalf of WFN to the Middle East, including but not limited to Kuwait, by concealing the steroid bottles inside of large stereo speakers.

D. The Flow of Money to WFN from the Website

60. In order for these shell companies to process credit card transactions through the Website, they must use a merchant credit card processing account. The investigation has revealed that, at one time, WFN was utilizing an entity called Priority Payment Systems LLC (“Priority Payment”).⁵

61. A review of Priority Payment records for WFN account ending in #XXXXXXXXXXXX9376 has revealed that from in or about and between January 2015 and October 2016, Priority Payment wired approximately \$9.8 million into a Citibank CitiBusiness Streamlined Checking account in the name of Wellness, Fitness & Nutrition Network, LLP account ending in #XXXXXX5429 (the “WFN Master Account”).⁶ The defendants RICHARD RODRIGUEZ and JOHN FERRELL are signatories on the WFN

⁵ A merchant credit card processor is an entity that provides merchants with credit card payment settlement services.

⁶ Priority Payment has collected approximately \$10.8 million in funds on behalf of WFN. As a result of Priority Payment’s fee for services only \$9.8 million is due WFN.

Master Account. The mailing address for the account is "Wellness, Fitness & Nutrition Network, LLP, 525 71st Street, #6597, Miami Beach, FL, 33141."

62. Using Priority Payment records, investigators were able to trace each undercover steroid purchase made by the UCE on the Website using the undercover credit card.

E. Use of Funds in Furtherance of the Crime

63. CS-2 has informed TFOs that the defendant NANCY MELO-RODRIGUEZ directs the flow of funds from the WFN Master Account into the various bank accounts detailed below.

64. A review of the bank records from the WFN Master Account reveals that from in or about and between January 2015 and October 2016, approximately \$2.3 million was withdrawn from the account via cash withdrawals by the defendants RICHARD RODRIGUEZ and NANCY MELO-RODRIGUEZ.

65. During that same time period, the WFN Master Account wired approximately \$307,777.00 to a CitiBusiness Streamlined Checking Account in the name of The Real Nutrition, LLC with account ending in #XXXXXXX0782 (the "Real Nutrition Account"). The defendant JOHN FERRELL is the signatory on the account. As discussed above, The Real Nutrition, LLC is an entity owned and controlled by the defendants JOHN FERRELL and RICHARD RODRIGUEZ.

66. A review of bank records for the Real Nutrition Account reveals that from in or about and between January 2015 and October 2016, approximately \$350,000.00

has been wired internationally to various Chinese companies who are known to ship illegal narcotics, including raw steroid powder, into the United States.

67. On or about September 28, 2016, a check drawn from the Real Nutrition Account in the amount of \$12,205.00 was written to JOHN FERRELL and subsequently deposited into a Bank of America checking account in the name of Desert Formulations with account #XXXXXX3851 (the "Desert Formulations Account"). The defendants JOHN FERRELL and EDWARD JACOB LIFF are the signatories on the account. As discussed above, Desert Formulations is the lab run by LIFF that supplies WFN with steroids.

68. Similarly, on or about August 31, 2016, a check drawn from the Real Nutrition Account in the amount of \$25,000.00 was written to JOHN FERRELL and subsequently deposited into the Desert Formulations Account.

69. During the same time period, the WFN Master Account wired approximately \$422,000.00 to Stamps.com with reference to account #XXX9100 registered to "WellFitActive" and RICHARD RODRIGUEZ. Stamps.com has indicated this money was remitted to pay for postage and shipping labeling services provided by Stamps.com. As discussed above, WFN utilizes Stamps.com to provide postage and shipping labels services during the course of its manufacture and distribution of anabolic steroids.

70. From in or about and between August 2015 and September 2016, the WFN Master Account wired approximately \$403,000.00 to a TD Business Convenience Plus Checking account in the name of Mid-Year Management Inc. with account #XXXXXXXX1720

(the "Mid-Year Account"). The defendant RICHARD RODRIGUEZ is the signatory on the account.

71. Funds from the Mid-Year Account have been used to pay the defendants RICHARD RODRIGUEZ, NANCY MELO-RODRIGUEZ, JOHN FERRELL, BERNARDO DURAN, ERICK VITTITOW and JONATHAN GONZALEZ.

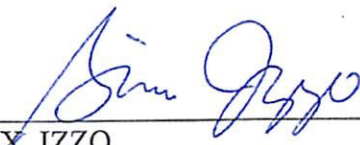
72. Additionally, the Mid-Year Management Account has been used to pay: (1) the rent at the Dixie Shipping Facility, (2) the Florida Secretary of State and (3) the United States Treasury.

73. From in or about and between December 2015 and October 2016, the WFN Master Account wired approximately \$761,692.00 into three CitiBusiness Streamlined Checking Accounts in the name of Iron Addicts, Inc. with account #s XXXXXX1820, XXXXXX1833 and XXXXXX1846. The defendant RICHARD RODRIGUEZ is the signatory on each of the accounts. The funds from this account have been used to pay employees as well as to purchase various pieces of gym equipment.

74. I request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence and change patterns of behavior.

WHEREFORE, your deponent respectfully requests that an arrest warrants be issued so that the defendants RICHARD RODRIGUEZ, NANCY MELO RODRIGUEZ, JOHN FERRELL, EDWARD JACOB LIFF, XZAVIER, APODACA, BYRON OLIVER, ERICK VITTITOW, BADER ALASKARI, BERNARD DURAN and JONATHAN GONZALEZ, may be dealt with according to law.

Dated: Brooklyn, New York
February 17, 2017



GINO X. IZZO
Task Force Officer
Drug Enforcement Administration

Sworn to before me this
17th day of February, 2017

THE HONORABLE STEVEN M. GOLD
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK